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FIRST, LAST & ALWAYS, INC. and DEVEN GADULA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

GUADALUPE JIMENEZ,  
on behalf of himself and others similarly  
situated,  
Plaintiff,  
vs.  
FIRST, LAST & ALWAYS, INC., DEVEN  
GADULA, and DOES 1-10  
Defendants

Case No.: C10-01128 PJH

STIPULATION AND [~~PROPOSED~~] ORDER  
TO CONTINUE CASE MANAGEMENT  
CONFERENCE

Date: June 30, 2011  
Time: 2:00 p.m.  
Judge: Hon. Philips J. Hamilton

The parties fully settled the case at a settlement conference before Judge Spero on  
January 25, 2011, and a Memorandum of Understanding with the settlement terms was signed at

that time. Defendants' counsel provided Plaintiffs' counsel with a proposed Stipulation for Class Action Settlement for the detailed allocation of the amounts to the Class Member with which Plaintiff is not in agreement. The parties are working on the final terms of the settlement, and expect to finalize and file the motion papers for approval within 30 days of June 30, 2011.

Plaintiff's counsel had been in trial preparation and was put on a standby to be assigned to a judge to start a trial for which the original trial date was June 27, 2011. As such, Plaintiff's counsel is likely to be in trial or waiting to be called in for trial on June 30, 2011. As such, the parties request that the Court continue the Case Management Conference currently on calendar for June 30, 2011 to August 4, 2011.

Dated: June 27, 2011

By: /s/ Adam Wang  
Adam Wang  
Attorney for Plaintiff

Dated: June 21, 2011

By: /s/ Robert Zaletel  
Robert Zaletel  
Attorney for Defendants

~~[PROPOSED]~~ ORDER

FOR GOOD CAUSE APPEARING, pursuant to the parties' stipulation, it is so ordered. The parties shall file their motion for preliminary approval of the settlement no later than August 4, 2011. The Case Management Conference currently scheduled for June 30, 2011 is continued to August 4, 2011. Should parties file their motion for preliminary approval prior to August 4, 2011, the Case Management Conference scheduled for that day shall be vacated.

Dated: June 29, 2010

By: \_\_\_\_\_  
Phyllis J. Hamilton  
US District Judge

